

REMARKS

Claims 1, 2, 4, 5, 7, 9, 10, 12, 13, 15, 16, 19 and 22 are pending in the present application. By the present communication, claims 1, 2, 4, 7, 9, 10, 12, 15 and 16 have been cancelled, new claims 23-25 have been added, and claims 5, 13, 19 and 22 have been amended to recite Applicants' invention with greater particularity. The amendments do not raise any issues of new matter, being fully supported by the Specification as filed. New claims 23-25 are merely original claims 2, 4 and 10 rewritten to depend from claims 5 and 13, which the Examiner has indicated would be allowable if rewritten in independent form with the limitation of the claims from which the claims depend. Applicants respectfully submit that claims 23-25 further limit claims 5 and 13, and therefore should also be allowable. Upon entry of the present amendment, claims 5, 13, 19 and 22-25 will be pending.

Claim Objections

The Examiner indicated that claims 5, 13 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and an intervening claims. As suggested, Applicants have amended claims 5, 13 and 19 to include all of the limitations of the claims from which the claims depend. Accordingly, withdrawal of the objection is respectfully requested.

Rejection Under 35 U.S.C. § 102(e)

The rejection of claims 1, 2, 4, 9, 10, 12, 15 and 22 under 35 U.S.C. § 102(e) as being anticipated by Grinnell (U.S. Patent No. 6,268,337, hereinafter "Grinnell '337") is respectfully traversed. The Examiner alleges that Grinnell '337 teaches intravenous administration of activated protein C ("APC") to subjects with vascular occlusive and arterial thromboembolic disorders (citing columns 3-4 and column 8, lines 28-33). Further, the Examiner states that claims 1-2, 4, 9-10, 12 and 15 recite the term "comprising" which is open-ended language that does not exclude additional, unrecited elements or method steps

(MPEP § 2111.03). To reduce the issues and further prosecution, Applicants have cancelled claims 1, 2, 4, 9, 10, 12, 15, rendering the rejection moot as to those claims. Further, Applicants have amended claim 22 to depend from claims 5, 13 and 19, which the Examiner has indicated would be allowable if rewritten in independent form with the limitation of the claims from which the claims depend. Applicants respectfully submit that claim 22 further limits claims 5, 13 and 19, and therefore should also be allowable. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

The rejection of claim 7 under 35 U.S.C. § 103(a) as allegedly unpatentable over Grinnell '337 in view of Hickenbottom is respectfully traversed. However, to reduce the issues and further prosecution, Applicants have cancelled claim 7, rendering the rejection moot. Withdrawal is respectfully requested.

Claim 16 is also rejected under 35 U.S.C. § 103(a) as anticipated by Grinnell '337 in view of Grinnell et al. (U.S. Patent No. 6,071,514, hereinafter "Grinnell '514"). However, to reduce the issues and further prosecution, Applicants have cancelled claim 16, rendering the rejection moot. Withdrawal is respectfully requested.

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Applicants Griffin and Zlokovic
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CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on claims 5, 13, 19 and 22-25 respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

A check in the total amount of \$60.00 is enclosed as payment for the one month extension of time fee. No additional fee is deemed necessary in connection with the filing of this Communication, however, if any additional fee is required, the Commissioner is authorized to charge any fee (or credit any overpayment) to Deposit Acct. No. 07-1896.

Respectfully submitted,



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